


March 12, 1985

TO: Coal File, Inspection and Enforcement Folder
FROM: David Lof, Mining Field Specialist 
RE: Genwal Coal Company, Crandall Canyon Mine, ACT/015/032,
Folder #7, Emery County, Utah

DATE: February 22, 1985
TIME: 1:00 p.m. - 4:45 p.m.
WEATHER: Mostly clear and cool
COMPANY OFFICIALS: Charles Gent
STATE OFFICIALS: David Lof
ENFORCEMENT ACTION: Notice of Violation N85-4-5-2 and N85-4-6-1

Compliance With Permanent Performance Standards

UMC 771 et al Permits

The following permit related information was reviewed and discussed with the operator.

1. A May 12, 1983 letter from the Division granting the operator final approval and issuing a permit to commence coal mining operations.
2. A December 11, 1984 letter from the Division approving the operator's request to delay the installation of the Crandall Canyon flumes until July 1, 1985.
3. A surface lease agreement with Beaver Creek Coal Company described as those properties lying north of Crandall Creek in the NW1/4, of the SW1/4 of Section 5 in T16S, R7E, SLM.

This agreement is for a five year term which can be extended for five successive five year terms. Termination of the agreement can be made by either party in writing at least 90 days prior to the proposed termination date. Prior to termination Genwal must totally reclaim the leased area. Genwal is wholly responsible for all of their actions within this lease area.

4. A U. S. Forest Service road use permit for the Crandall Canyon road dated May 21, 1981.
5. A September 10, 1984 letter from the Division approving the operators design modification to the sediment pond emergency spillway. One of the stipulations attached to the approval required the operator to obtain U. S. Forest Service concurrence on the plans.

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During a February 8, 1985 meeting with Manti La Sal personnel I was informed that the Forest Service was not going to concur with the approved design modification.

On February 20, 1985 the Forest Service sent a letter to the operator requesting additional information.

UMC 817.11 Signs and Markers

The operator's mine identification sign is currently posted near the junction of the forest development road with Utah Highway 31, on the bridge which crosses Huntington Creek. After reviewing the operators mine permit I found that the placement of the sign does not accurately identify the permit area and may infact misrepresent the entire Crandall Canyon road and associated area as part of the permit area. According to the technical analysis for the permit, the forest development road becomes part of the permit area station 67+00.

During my inspection I informed Mr. Gent that I wanted him to move the mine identification sign up to their permit area boundary at Station 67+00. He told me that he would do it except that he thought that the boundary was further up canyon just below the sediment pond. Therefore, I told him to not move the sign until I found out for certain where the permit area boundary was.

Upon returning to the Division I found that the maps which show the permit area boundary only include the 80 acre lease site, the 1 1/2 acres of Forest Service special use permit area and the surface lease agreement with Beaver Creek Coal Company. After discussing the matter with the Division Special Projects Supervisor, Wayne Hedberg, who was the lead reviewer on the mine plan, he confirmed that that portion of the Forest Service development road from station 67+00 was infact within the permit boundaries and that it should have been shown as such on the permit area maps.

UMC 817.41-.51 Hydrologic Balance

Sediment Pond

At the time of the inspection the water level in the sediment pond was almost to the one inch perforation in the principal spillway.

While discussing the emergency spillway with Mr. Gent, he mentioned that he was going to pump from the sediment pond to the mine sump this spring in order to keep the pond from overflowing through the principal spillway. I told him that he could not do that unless he had approval from the Division.

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Snow Removal

There were no apparent snow removal problems in the mine yard area.

Water Bar

In order to maintain the water bar which prevents water from flowing down the mine access road and direct it to the sediment pond, the operator had brought in some large gravel (1-2 inch) to raise the area of the water bar. It appeared to be working adequately at the time of my inspection. I told Mr. Gent that he would have to watch this area and keep it maintained as required.

UMC 817.52 Surface and Ground Water Monitoring

An NPDES permit application was submitted by R&M Consultants on Genwal's behalf on April 27, 1984. At this time the operator has still not received a permit from EPA.

The operator had daily turbidity data available through November 23, 1984.

The operator had bi-monthly surface water monitoring data for September, 1984 and January 1985. But, Mr. Gent could not produce any data for the November 1984 bi-monthly sampling at the time of my inspection.

The data for September 1984 and January 1985 appeared to be complete, with the exception of field measurements. This problem had been discussed with the operator during my November 14, 1984 inspection and during my December 13, 1984 complete inspection. At that time I told them that they had to start measuring pH, electrical conductivity, dissolved oxygen, and water temperature as field measurements immediately, whether they hired a contractor to do it or bought the equipment to do it themselves. I reminded Mr. Gent of this during this inspection and he did not offer any explanations as to why it had not been done.

Because the operator had failed to conduct their water monitoring program in accordance with their approved permit Notice of Violation N85-4-6-1 was issued. It reads as follows:

Nature of the Violation

Failure to conduct surface water monitoring in accordance with an approved monitoring program.

Failure to mine in accordance with an approved mine plan.

Provision of Regulations, Act, or Permit Violateds

UMC 817.52 (b)(1)
UMC 771.19

Portion of the Operation to which Notice Applies

- A. Bimonthly water samples for November 1984
- B. Field measurements for weekly and bimonthly samples ie., pH, electrical conductivity, water temperature, dissolved oxygen, etc.

Remedial Action Required

- A. Take samples in accordance with the approved plans.
- B. Take field measurements as required

Time for Abatement

Immediately

The operator had their weekly and daily water monitoring data available through November 22, 1984.

Mr. Gent asked if he had to continue his water monitoring even during the winter months when the deep snow hindered them from taking samples. I told him that he should call Division Hydrologist, Tom Munson to see if he could get a variance from their mine plan to not collect water samples during the winter months.

UMC 817.181 Support Facilities and Utilities Installations

Sewage Facilities

During a past inspection I had noted a lack of sewage facilities at the mine site. According to page 15, paragraph (B)5 of the operator's September 16, 1981 ACR response, the operator committed to having chemical toilets on site in lieu of a sewage system. These toilets were to be leased, pumped out under contract and sewage disposed of at an Emery County sewage disposal station.

I discussed this matter with Forest Service personnel during our February 8, 1985 meeting. At that time I found out that MSHA enforces sewage facilities requirements underground and that the surface management agency has jurisdiction on the surface. Mr. Boley told me that he would write a letter to the Division stating their concern for lack of proper sewage facilities and provide me with information for their requirements for the facilities.

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At the time of my inspection I informed Mr. Gent of the sewage facilities requirement and told him that he should contact the Forest Service and get a copy of their regulations governing sewage facilities.

Because the operator had failed to comply with their permit, Notice of Violation N85-4-5-2, #1 of 2 was issued. It reads as follows:

Nature of the Violation.

Failure to mine in accordance with an approved permit.

Provision of the Regulations, Act or Permit Violated

UMC 771.19
UCA-40-10-22 (1)(c)

Portion of the Operation to Which Notice Applies

Sewage facilities, (toilets).

Remedial Action Required

Provide chemical toilets at the mine site in accordance with United States Forest Service Regulations.

Time for Abatement

March 8, 1985

Mine Operations Facilities

During my February 8, 1985 meeting with Forest Service personnel, they informed me of a concern with the present location of the operational facilities which include the office trailer, parking, oil and gas storage, and generator. The present location of the facilities is immediately to the west of the sediment pond, on the south side of the forest development road. The facilities are encroaching upon the road right-of-way and the location is not in accordance with the approved plan. In addition, it is a safety hazard due to the fact that the road is a public road through the permit area and the location of the facilities could easily conflict with other forest users.

On February 20, 1985 the Division received a letter from the Forest Service expressing their concern in regards to the location of the operations facilities.

I informed Mr. Gent that they are going to have to move their operation facilities to comply with their permit. He said that they were not sure right now how they were going to develop, or to what extent they were going to develop the rest of their surface area, because they do not know if they are going to develop either or both of the upper two seams. They presently have plans to drill exploratory holes from within the present mine works up through the upper two seams to determine whether or not the seams are mineable. This exploratory work is to commence within the next few weeks.

Because the operator had failed to locate their mine operation facilities according to their approved permit Notice of Violation N85-4-5-2, 2 of 2 was issued. It reads as follows:

Nature of the Violation

Failure to mine in accordance with an approved permit permit.

Provisions of the Regulations, Act or Permit Violated

UMC 771.19
UCA 40-10-22 (1)(c)

Portion of the Operation to Which Notice Applies

The mine operation facilities located on the south side of the forest development road i.e., office trailer, parking, generator, oil and gas storage, etc.

Remedial Action Required

- A. Submit plans to the Division for the relocation of the mine operation facilities so that the facilities do not conflict with the forest development road.
- B. Submit plans to the Division for the reclamation of the present mine operations facilities location.

Time for Abatement

- A. April 8, 1985
- B. March 8, 1985

While discussing the remedial actions required for the violation with Mr. Gent I felt that the April 8, 1985 deadline for the plans on the relocation of the facilities would allow them enough time to do their exploratory drilling and decide how they would develop the rest of their surface area. I told Mr. Gent that they should go

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ahead now with plans for the reclamation of the present mine operations facilities since this would have to be reclaimed no matter how they develop the rest of their area. I advised him to meet with Forest Service personnel to find out what the Forest Service expects them to do with this site so they will not spend time working on plans that the Forest Service will not find exceptable.

re

cc: Donna Griffin, DOGM
Bill Boley, Manti La Sal National Forest
Joe Helfrich, DOGM
Mary Boucek, DOGM

Statistics: See Soldier Creek Coal Company, Soldier Canyon Mine
memo dated March 12, 1985

0166Q-9-15